

audio components, for a standard digital programming segment in a digital programming transmission stream. Since multiple programming components can be inserted into the place of a single standard digital programming segment, the quantity of differentiable programming content in the digital stream is increased by this substitution.

In accordance with the above description, all of the pending independent claims in this application recite that “at least one subset of the digital programming components replaces the standard digital programming segment in the digital programming transmission stream.” The Examiner admits that Boucher fails to disclose this aspect of the claimed invention. Accordingly, the Examiner relies upon Boylan, column 9, lines 20-55, as disclosing “at least one subset of the digital programming components replaces the standard digital programming segment in the digital programming transmission stream.”

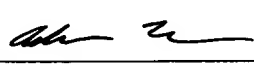
Column 9, lines 20-55, Boylan describes either inserting local content into a broadcast stream in a portion of the bandwidth previously reserved for the local content or substituting a local advertisement for a global advertisement on a one to one basis. Boylan does not disclose or suggest replacing a single standard digital programming segment with multiple smaller programming components thereby increasing the quantity of differentiable programming content. Accordingly, since both Boylan and Boucher fail to disclose or suggest every aspect of the claimed invention, the rejection of claims 1-7, 9-75 and 77-80, should be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **559442003900**.

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